

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 22-1618

BETH BERKELHAMMER, individually and as representative of a
class of participants and beneficiaries on behalf of the ADP
TotalSource Retirement Savings Plan; NAOMI RUIZ, individually
and as representative of a class of participants and beneficiaries
on behalf of the ADP TotalSource Retirement Savings Plan,
Appellants

v.

ADP TOTALSOURCE GROUP, INC.; AUTOMATIC DATA PROCESSING, INC.;
ADP TOTALSOURCE RETIREMENT SAVINGS PLAN COMMITTEE;
NFP RETIREMENT, INC.; JOHN DOES 1-40

On Appeal from the United States
District Court for the District of New Jersey
(D.C. No. 2-20-cv-05696)
District Judge: Honorable Esther Salas

Argued
December 6, 2022

Before: SHWARTZ, MATEY, and FUENTES, *Circuit Judges*.

JUDGMENT

This cause came to be considered on appeal from the United States District Court for the District of New Jersey and was argued on December 6, 2022. On consideration whereof, it is now **ORDERED** and **ADJUDGED** by this Court that the order of the District Court entered on March 31, 2022, is hereby **AFFIRMED**. Costs will be taxed against Appellants.

All of the above in accordance with the Opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit
Clerk

DATED: July 17, 2023